

Attorney Docket No. 08702.0090-04000
Application No. 09/878,574

REMARKS

In the most recent Office Action, the Examiner allowed claims 40-55, and maintained written description and enablement rejections of claims 21, 23, 26-29 and 38-39. No claims are rejected over prior art. Applicants thank the Examiner for considering and discussing the claims submitted herewith on July 29, 2004.

By this amendment, Applicants cancel the rejected claims solely to expedite allowance of this case and without acceding to the grounds of rejection. Additionally, Applicants herein submit new claims 56-76, which depend from allowed claims 40, 44, and 52. The new claims are drawn to embodiments relating to antibodies to particular GM4,6D polypeptides or particular inflammatory disorders that are encompassed by the allowed claims. The amendments are related to allowed dependent claims 43 and 47-51, and are narrower in scope than the allowed independent claims from which they depend. The new claims are supported in the specification, for example, at page 4, line 30 to page 5, line 2 (describing SEQ ID NOs:2 and 3), at page 5, lines 19-22 (describing diseases), and in the claims as filed. Applicants submit that the amendments do not introduce new matter.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 40-76 in condition for allowance. Applicants submit that the proposed addition of new claims 56-76 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all new claims depend from and encompass allowed subject matter. Therefore, this Amendment should allow for immediate action by the Examiner.

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Applicants also submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims. Should the Examiner not believe that the claims are in conditions for allowance, Applicants request that the Examiner contact the undersigned representative at (617) 452-1618 for an interview to discuss the application.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is fully supported and enabled by the specification as filed. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

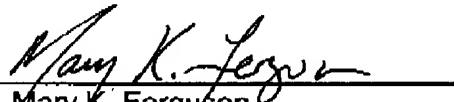
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: August 4, 2004

By:


Mary K. Ferguson
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